

**9511. Adulteration and misbranding of barley feed. U. S. \* \* \* v. Burt J. Bartlett and Willet A. Ward (Interstate Feed Association). Pleas of nolo contendere. Fine, \$30 and costs. (F. & D. No. 12290. I. S. No. 10721-r.)**

On April 27, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Burt J. Bartlett and Willet A. Ward, copartners, trading as the Interstate Feed Association, Toledo, Ohio, alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 1, 1919, from the State of Ohio into the State of Indiana, of a quantity of barley feed which was adulterated and misbranded. The article was described in a letter by the Interstate Feed Association as "Barley feed \* \* \* manufactured only from pure barley. This feed contains no adulterants."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of oat hulls and oat shorts, and that little, if any, barley was present.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a mixture of oat hulls and oat shorts, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in whole or in part for barley feed, manufactured only from pure barley, which the article purported to be.

Misbranding was alleged for the reason that the article was a mixture of oat hulls and oat shorts, prepared in imitation of, and offered for sale and sold under the distinctive name of, another article, to wit, barley feed, manufactured only from pure barley. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On December 8, 1920, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$30 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9512. Adulteration and misbranding of grape juice. U. S. \* \* \* v. A. Schmidt, Jr., & Bros. Wine Co., a Corporation (Purity Bottling Co.). Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 8292. I. S. No. 11032-m.)**

On September 19, 1917, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the A. Schmidt, Jr., & Bros. Wine Co., a corporation, trading as the Purity Bottling Co., Sandusky, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 3, 1916, from the State of Ohio into the State of Illinois, of a quantity of grape juice which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water and added sugar.

Adulteration of the article was alleged in the information for the reason that a mixture of sugar and water had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for grape juice, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Grape Juice," borne on the label attached to the bottles containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article consisted